Federal, Provincial & Territorial Government Regulation Process

Regulations are the details of laws. Laws usually set out only general rules and requirements, and changes have to be reviewed by the government and the legislature (and, at the federal level, by the Senate), a process that can take up to 2-3 years. Because there are often problems with the detailed parts of laws, these detailed parts are set out in regulations. Regulations can be changed much more quickly than laws, and so quick changes can be made to solve the problems a specific rule or requirement may be causing.

The flow chart set out below describes the process for developing and changing regulations generally followed by the federal government and provincial and territorial governments. Of course, different governments do things differently, but the flow chart is generally accurate concerning the usual steps in the legislative process.

	Usually takes 3 months		Usually takes 2 months	Usually takes 2 months	Usually takes 1 month
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1. Development Stage

When the government has passed a new law or changes to a law, the government department or agency responsible for enforcing the law is usually given the power to pass detailed regulations.

The department or agency usually consults with interested groups and experts about the regulation, but no consultation is required at this stage.

2. Drafting Stage

The lawyers for the department or agency, often in consultation with the regulation drafting office of the government, draft the regulation.

The drafting process is usually done in both official languages.

The final draft is presented to a Cabinet committee for approval.

3. Executive Review

A Cabinet minister is usually responsible for ensuring that all draft regulations are reviewed in terms of their impact on business (at the federal level, the Treasury Board minister does this, and is required to consult with interested groups at this stage).

Regulations are also reviewed to ensure that they don't conflict with the government's political priorities.

4. Publication Stage 1

Draft regulations must be published in Part I of the *Canada Gazette* before they become a legal requirement. The Canada Gazette (or a provincial government's "gazette") is the government's "newspaper". Copies are available from the government, at some libraries, and on the Internet.

The purpose of publishing the draft regulation is to give those who are interested an opportunity (usually 30 days) to review the draft and write to the government proposing changes or corrections.

Usually takes 1 month

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5. Registration Stage

After the 30 days have passed, the regulation may be changed and further consultation make occur, but usually the regulation will be finalized and registered by the Privy Council Office (the Cabinet staff office), and then it is a legal requirement.

6. Publication Stage 2

The government is required to publish each regulation in Part II of the *Canada Gazette* so that Canadians can see the final version of the regulation and know what it requires in detail.

7. Ongoing Review

In the federal government, the Standing Joint Committee for the Scrutiny of Regulations (made up of MPs and Senators) monitors the content of regulations to ensure that they align with the purposes of each law. If they find a problem, they notify the department or agency and request changes to the regulation.